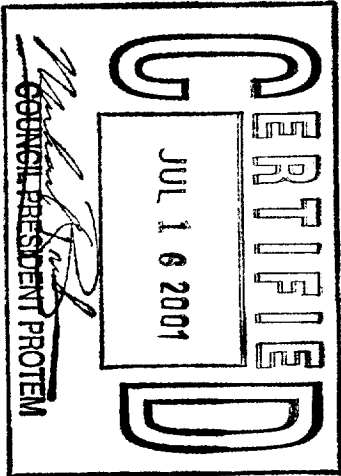


01-R-1073

Entered - 9-27-00 - sb  
CL - 00L0593 ALEXIS HOLMES

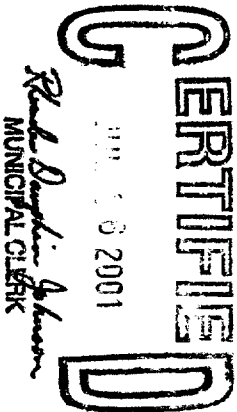
CLAIM OF: **MetLife Auto & Home**  
**As Subrogee of**  
**JOHNNY C. MOSLEY**  
Charlotte Field Claim Office  
701 Forest Point Circle, Suite A  
Charlotte, NC 28273



For damages alleged to have been sustained as a result of a vehicular accident on July 25, 2000 at Boulevard and Freedom Parkway.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell by  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY Robert N. G. DCA



CONSENT AGENDA

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 7/10/01

CHAIR: C. T. Allen

Sherry Dorsey  
W. J. [Signature]

ADVERSE BY  
CITY COUNCIL  
JUL 16 2001



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

July 26, 2001

MetLife Auto and Home as  
subrogee of Johnny C. Mosley  
Attn: Linda Armstrong  
Charlotte Field Claim Office  
701 Forest Point Circle Suite A  
Charlotte, NC 28273

01-R-1073

Dear Ms. Armstrong:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on July 16, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 00L0593

Date: 6/29/01

Claimant /Victim JOHNNY C. MOSELY

BY: (Atty)(Ins.) MetLife Auto & Home as Subrogation Representative

Address: P.O. Box 410300 701 Forest Point Circle, Suite A, Charlotte, NC 28273

Subrogation: X Claim for Property damage \$ 3,624.17 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 11/28/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 9/19/00 Place: Boulevard and Freedom Parkway, NE

Department Police Division: \_\_\_\_\_

Employee involved Officer Anthony Ferragamo Disciplinary Action: Oral Reprimand

**NATURE OF CLAIM:** The claimant sustained vehicular damages when the driver of a City vehicle failed to observe a traffic control device and collided with the claimant's vehicle causing damages in the above amount. However, the insurance carrier rejected the City's offer.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Other \_\_\_\_\_ Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams X Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_

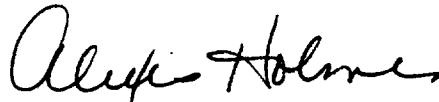
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected X Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



\_\_\_\_\_  
INVESTIGATOR - ALEXIS HOLMES

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 06-29-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

Charlotte Field Claim Office  
Post Office Box 410300  
701 Forest Point Circle, Suite A  
Charlotte, NC 28273  
(800) 854-6011

*Holmes*  
*09/27/00*

**MetLife**® Auto & Home

September 16, 2000

Atlanta Police Dept  
The Law Dept.  
55 Trinity Avenue, SW  
Atlanta, GA30335

ENTERED - 9-28-00 - SB  
00L0593 - ALEXIS HOLMES

Claim Number: CHA21496 AB  
Our Customer: Johnny C. Mosley  
Date of Loss: July 25, 2000

Dear Atlanta Police Dept:

Please see the attached information regarding auto loss on 7-25-00 involving one of your police vehicles.

I have enclosed a copy of police report and copy of estimate on my insured vehicle.

Please contact me at this number 1-800-854-6011, extension 6718, Monday through Friday, 8:00 a.m. to 4:30 p. m.

Sincerely,

*Linda J. Armstrong*  
Linda J. Armstrong  
Claim Adjuster  
Ext. 6718

**01-R-1073**

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

MPL BLANK

Printed in U.S.A 0698

RCS# 2995  
7/16/01  
2:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 16

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

B McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA

01-O-0992 01-R-1108  
01-O-0710 01-R-1041  
01-O-0711 01-R-1042  
01-O-1089 01-R-1043  
01-O-0995 01-R-1065

CONSENT

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 01-O-1091
2. 01-O-0722
3. 01-O-0855
4. 01-O-0890
5. 01-O-0891
6. 01-O-0980
7. 01-O-0924
8. 01-O-1086
9. 01-O-1090
10. 01-O-0731
11. 01-O-0917
12. 01-R-1013
13. 01-R-1014
14. 01-R-1015
15. 01-R-1016
16. 01-R-1007
17. 01-R-1009
18. 01-R-1012
19. 01-R-1005
20. 01-R-1006
21. 01-R-1011
22. 01-R-1109
23. 01-R-1017
24. 01-R-1077
25. 01-R-1080
26. 01-R-1019
27. 01-R-1020
28. 01-R-1021
29. 01-R-1022
30. 01-R-1023
31. 01-R-1024
32. 01-R-1025
33. 01-R-1026
34. 01-R-1027
35. 01-R-1028
36. 01-R-1107

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

37. 01-R-1029
38. 01-R-1030
39. 01-R-1031
40. 01-R-1032
41. 01-R-1033
42. 01-R-1034
43. 01-R-1035
44. 01-R-1036
45. 01-R-1037
46. 01-R-1038
47. 01-R-1039
48. 01-R-1040
49. 01-R-1044
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66. 01-R-1061
67. 01-R-1062
68. 01-R-1063
69. 01-R-1064
70. 01-R-1066
71. 01-R-1067
72. 01-R-1068

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

73. 01-R-1069
  74. 01-R-1070
  75. 01-R-1071
  76. 01-R-1072
  77. 01-R-1073
  78. 01-R-1104
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